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Robert L. Ebby  
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PHILADELPHIA, PA

CHERRY HILL, NJ

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NORRISTOWN, PA

April 25, 2022

**VIA ECF**

The Honorable R. Barclay Surrick  
United States Courthouse  
601 Market Street, Room 8614  
Philadelphia, PA 19106

**Re: *In re Ex Parte Application of Iraq Telecom Ltd. Pursuant to 28 U.S.C. § 1782  
for an Order to Take Discovery from Dechert LLP for Use in Foreign  
Proceedings, No. 19-mc-00175 RBS (E.D. Pa.)***

Dear Judge Surrick:

We provide this brief response to Iraq Telecom's letter to Your Honor dated April 20, 2022 (ECF 76).

First, for the reasons stated in Dechert's letter to Your Honor (ECF 77) of this afternoon, Iraq Telecom's latest request should be denied.

Second, Iraq Telecom's request that the Court order me to conduct a search for a link from February 2020 should also be denied because there is no basis for such relief. Indeed, even Iraq Telecom acknowledges the extraordinary and unusual nature of this request and, not surprisingly, fails to provide any authority for it. (I had asked Iraq Telecom to provide me with (a) authority for such an Order; (b) a copy of the "April Production;" and (c) information regarding the alleged deadlines in the foreign arbitration, which deadlines Iraq Telecom previously represented months ago were then "impending" and "urgent," so that I could more fully respond to its request, but Iraq Telecom ignored this and instead, after filing its letter, simply referred me to that letter as somehow responsive to my requests. *See* email chain attached as Exhibit A.) Further, as I indicated to Iraq Telecom, I do not, in any event, have the information Iraq Telecom seeks.

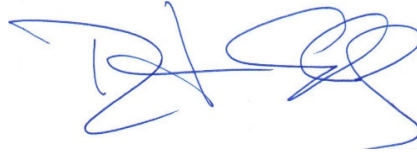
Honorable R. Barclay Surrick

April 25, 2022

Page 2

Third, we reject Iraq Telecom's accusations, its attempt to litigate anew its prior allegations, and its attempt to litigate against parties and matters not before the Court.

Respectfully,

A handwritten signature in blue ink, appearing to read 'R. Ebby', with a stylized, looping flourish extending from the end.

Robert L. Ebby

RLE/ht

Attachment

cc: All Counsel of Record (via ECF)

# EXHIBIT A

**Thompson, Hilda I.**

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**From:** Katy Akopjan <katyakopjan@quinnemanuel.com>  
**Sent:** Thursday, April 21, 2022 4:07 PM  
**To:** Ebby, Robert L.; Cohen, Cheri R.; Sandnes, James T.  
**Cc:** Rosenberg, Benjamin; Kristin Tahler; Assistant General Counsel  
**Subject:** RE: Iraq Telecom Limited: Misc. No. 19-175 [IWOV-HASP1.FID128722]  
**Attachments:** E.D. Pa. 19-mc-00175 dckt 000076\_000 filed 2022-04-20.pdf; E.D. Pa. 19-mc-00175 dckt 000076\_002 filed 2022-04-20.pdf; E.D. Pa. 19-mc-00175 dckt 000076\_003 filed 2022-04-20.pdf; E.D. Pa. 19-mc-00175 dckt 000076\_004 filed 2022-04-20.pdf

[EXTERNAL EMAIL - This message originated outside Hangley Aronchick.]

Bo,

The basis for our requests is described in our letter (attached for your convenience).

Best,  
Katy

**Katy Akopjan**  
*Associate*  
Quinn Emanuel Urquhart & Sullivan, LLP

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**From:** Ebby, Robert L. <rle@hangley.com>  
**Sent:** Wednesday, April 20, 2022 4:40 PM  
**To:** Katy Akopjan <katyakopjan@quinnemanuel.com>; Cohen, Cheri R. <Cheri.Cohen@dechert.com>; Sandnes, James T. <jsandnes@skarzynski.com>  
**Cc:** Rosenberg, Benjamin <Benjamin.Rosenberg@dechert.com>; Kristin Tahler <kristintahler@quinnemanuel.com>; Assistant General Counsel <AssistantGeneralCounsel@dechert.com>  
**Subject:** RE: Iraq Telecom Limited: Misc. No. 19-175 [IWOV-HASP1.FID128722]

[EXTERNAL EMAIL from [rle@hangley.com](mailto:rle@hangley.com)]

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Katy:

As I am sure you anticipated, I respectfully decline your request to search for documents, but, so that I can properly understand your latest request and respond more completely, please provide (a) a copy of the documents you reference below, together with any other documents from what appears to be a recent document production from Dechert; (b) a copy of any scheduling order or arbitration deadlines that you reference below; and (c) the authority that supports your request that I search for a collection of documents (which collection appears privileged).

Also, in addition to the privileged nature of the collection of documents and lack of basis to require this search, to the extent I can make sense of the request based on the limited information provided, to short circuit this and avoid burdening the Court, please note that I believe it highly unlikely that I have the collection of documents you seek, in any event.

Please also note that I will be in depositions or traveling through next Wednesday so will be largely unavailable over the next few days.

This response is provided with full reservation of rights and Messrs. Youssef and Succar waive nothing.

Bo Ebby

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**From:** Katy Akopjan <[katyakopjan@quinnemanuel.com](mailto:katyakopjan@quinnemanuel.com)>

**Sent:** Wednesday, April 20, 2022 12:13 PM

**To:** Cohen, Cheri R. <[Cheri.Cohen@dechert.com](mailto:Cheri.Cohen@dechert.com)>; Sandnes, James T. <[jsandnes@skarzynski.com](mailto:jsandnes@skarzynski.com)>; Ebby, Robert L. <[rele@hangley.com](mailto:rele@hangley.com)>

**Cc:** Rosenberg, Benjamin <[Benjamin.Rosenberg@dechert.com](mailto:Benjamin.Rosenberg@dechert.com)>; Kristin Tahler <[kristintahler@quinnemanuel.com](mailto:kristintahler@quinnemanuel.com)>; Assistant General Counsel <[AssistantGeneralCounsel@dechert.com](mailto:AssistantGeneralCounsel@dechert.com)>

**Subject:** RE: Iraq Telecom Limited: Misc. No. 19-175

**[EXTERNAL EMAIL - This message originated outside Hangley Aronchick.]**

All,

In light of the upcoming deadlines in the underlying foreign proceedings and Dechert's refusal to produce the linked documents referenced below, Iraq Telecom intends to file a letter with the Court later today requesting that the Court order (i) Dechert to produce the documents contained in the link at Document 93 (or a list of documents sufficient to show Dechert's proposed production set); and (ii) Mr. Ebby to search for and produce the link at Document 115 or communications with Ms. Achkouty on or about February 14, 2020, identifying documents she wanted Dechert to withhold from production.

Please advise before 4 PM ET if you will comply with the foregoing requests without requiring our involving the Court.

Best,  
Katy

**Katy Akopjan**

*Associate*

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**From:** Cohen, Cheri R. <[Cheri.Cohen@dechert.com](mailto:Cheri.Cohen@dechert.com)>

**Sent:** Thursday, April 14, 2022 4:54 PM

**To:** Sandnes, James T. <[jsandnes@skarzynski.com](mailto:jsandnes@skarzynski.com)>; Katy Akopjan <[katyakopjan@quinnemanuel.com](mailto:katyakopjan@quinnemanuel.com)>; Ebby, Robert L. <[rle@hangleyley.com](mailto:rle@hangleyley.com)>

**Cc:** Rosenberg, Benjamin <[Benjamin.Rosenberg@dechert.com](mailto:Benjamin.Rosenberg@dechert.com)>; Kristin Tahler <[kristintahler@quinnemanuel.com](mailto:kristintahler@quinnemanuel.com)>; Assistant General Counsel <[AssistantGeneralCounsel@dechert.com](mailto:AssistantGeneralCounsel@dechert.com)>

**Subject:** RE: Iraq Telecom Limited: Misc. No. 19-175

[EXTERNAL EMAIL from [cheri.cohen@dechert.com](mailto:cheri.cohen@dechert.com)]

Jim –

We confirm we will not produce what you are requesting. A link to hundreds of documents is not an “attachment.” We are not under an obligation to produce multiple copies of documents. Further, what you are requesting is, as you know, work product.

Cheri

**Cheri R. Cohen**

**Dechert LLP**

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